

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BARBARA DRAKE,

Plaintiff,

v.

JEFFREY P. ANDRUCZYK, et al.,

Defendants.

Civil Action No. 08-4249 (AET)

**AMENDED CASE
MANAGEMENT ORDER**

THIS MATTER having come before the Court by way of Plaintiff's letter application, seeking an extension of the discovery period; and the Court having noted Defendants' consent to the extension; and for good cause shown,

IT IS on this **18th** day of **September, 2009**,

ORDERED that the parties will have until **November 30, 2009** to conduct all fact discovery in this matter; and it is further

ORDERED that Plaintiff shall serve copies of all expert reports by no later than **December 30, 2009**; and it is further

ORDERED that Defendants shall serve copies of all expert reports by no later than **January 29, 2010**; and it is further

ORDERED that counsel will confer in an attempt to resolve any discovery or case management disputes before making such dispute the subject of an application to the Court. Any such dispute shall be brought to the Court's attention by letter, no more than five (5) pages in total, setting forth the nature of the dispute and any efforts to resolve it. Any response shall be similarly limited to five (5) pages in total and shall be submitted within forty-eight (48) hours of the initial letter. No discovery motion will be entertained absent leave of Court and counsel's full compliance with L. Civ. R. 37.1(a)(1); *see also* L. Civ. R. 16.1(f); and it is further

ORDERED that a Settlement Conference will be conducted by the undersigned, at the Clarkson S. Fisher United States Courthouse, Trenton, New Jersey on **December 1, 2009 at 10:00 a.m.** Parties with full authority to settle the case are to be present. Any failure in this regard shall result in the imposition of sanctions; and it is further

ORDERED that five (5) days before the Settlement Conference, each party is to submit

to Chambers a confidential letter, on an *ex parte* basis, not to exceed five (5) pages in total, summarizing the relevant facts, the respective legal positions, the status of the case, and the party's position of settlement, including any settlement discussions that have taken place in anticipation of the Settlement Conference; and it is further

ORDERED that a date for the final pretrial conference will be held before the Court on **March 2, 2010 at 10:00 a.m.**; and it is further

ORDERED that the attorneys for all parties are further directed to meet together by agreement, initiated by Plaintiff's counsel no later than twenty (20) days before the date of the pretrial conference to:

- a. discuss settlement;
- b. stipulate to as many facts and issues as possible;
- c. prepare a Final Pretrial Order in the form and content as required by the Court. Plaintiff's counsel will prepare the Final Pretrial Order and will submit it to all other counsel for approval and execution. The original and one copy of the executed Final Pretrial Order will be delivered to the pretrial conference. All counsel are responsible for the timely submission of the Final Pretrial Stipulation and Order;
- d. examine all exhibits and documents proposed to be used at trial;
- e. complete all other matters which may expedite both the pretrial and trial of the case; and
- f. original and one copy of the proposed Final Pretrial Order is to be submitted five (5) days in advance of the conference.

ORDERED that appropriate markers shall be affixed to the exhibits at or prior to the time they are shown to opposing counsel at the meeting of counsel referred to above, and each marker will bear the number of the exhibit to which it is affixed; and it is further

ORDERED that at the pretrial conference counsel should be prepared to discuss settlement of the case. Clients must be available by telephone.

s/ Lois H. Goodman

LOIS H. GOODMAN

United States Magistrate Judge